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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,568	03/17/2004	Masaya Hashimoto	325772034800	3453
7590 12/21/2010				
Barry E. Bretschneider Morrison & Foerster LLP Suite 300 1650 Tysons Boulevard McLean, VA 22102				
EXAMINER				
MCLEAN, NEIL R				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
12/21/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/801,568

**Applicant(s)**

HASHIMOTO ET AL.

**Examiner**

Neil R. McLean

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-7 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-7 and 12-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-040)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/17/2010 has been entered.

### ***Status of Claims***

2. Claims 5-7, and 12-14 are pending in this application.

### ***Response to Arguments***

3. Applicant's arguments with respect to Claims 5-7 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claim 5-7 and 12-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (US 6,982,811).

Regarding Claim 5: (Currently Amended)

Sato discloses a data processing apparatus (Figure 2), comprising:

a compressor which compresses every block of inputted job data into compressed data (Image Compression Section 2040; Column 3, lines 54-57);

a memory which stores the compressed data (RAM 2002; Column 3, lines 23-25);

a controller (Controller 2000) which sets a size of the block of the data to be compressed by said compressor to a size of the page unit when an attribute of the data is monochrome (For a monochrome image, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46), and which sets the size of the block of the data to be compressed by said compressor to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is color (PDF is selected for a color image; Column 5, line 50. The data format structure of a PDF file 5000 has a header 5001, data 5002 of the first image, data 5003 of the second image, . . . data 5009 of the Nth image as shown in Figure 5).

Regarding Claim 2: (Previously Presented)

Sato further discloses the data processing apparatus as recited in claim 5, further comprising an attribute discriminator for discriminating the attribute of the data (Figure 15; STEP S15004 'ACQUIRE ATTRIBUTE INFORMATION OF ITH IMAGE').

Regarding Claim 6: (Currently Amended)

Sato discloses a data processing apparatus (Figure 2), comprising:

a compressor which compresses every block of inputted job data into compressed data (Image Compression Section 2040; Column 3, lines 54-57);

a memory which stores the compressed data (RAM 2002; Column 3, lines 23-25);

a controller (Controller 2000) which sets a size of the block of the data to be compressed by said compressor to a size of the page unit when an attribute of the data is binary data (e.g., for a monochrome image, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46; also Column 3, lines 56-57 which discloses the use of binary data), and which sets the size of the block of the data to be compressed by said compressor to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is multi-valued data (e.g., For a monochrome image, S-TIFF, M-TIFF, or PDF can be selected. For a color image, JPEG or PDF can be selected. In this embodiment, since a format which converts a plurality of originals into one file is used for transmission, M-TIFF or PDF is selected for a monochrome image, and PDF is selected for a color image).

Regarding Claim 7: (Currently Amended)

Sato discloses a data processing apparatus (Figure 2), comprising:

a compressor which compresses every block of inputted job data into compressed data (Image Compression Section 2040; Column 3, lines 54-57);

a memory which stores the compressed data (RAM 2002; Column 3, lines 23-25);

a controller (Controller 2000) which sets a size of the block of the data to be compressed by said compressor to a size of the page unit when an attribute of

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the data is a job other than a FAX/copy job (e.g. For a monochrome image which is not a FAX/copy job, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46), and which sets the size of the block of the data to be compressed by said compressor to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is the FAX/copy job (e.g., when it corresponds to color data, PDF is selected for a color image; Column 5, line 50. The data format structure of a PDF file 5000 has a header 5001, data 5002 of the first image, data 5003 of the second image, . . . data 5009 of the Nth image as shown in Figure 5).

Regarding Claim 12: (Currently Amended)

Sato discloses a data processing method, comprising:

setting a size of every block of data to be compressed by a compressor to a size of the page unit when an attribute of the data is monochrome (For a monochrome image, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46), and to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is color (PDF is selected for a color image; Column 5, line 50. The data format structure of a PDF file 5000 has a header 5001, data 5002 of the first image, data 5003 of the second image, . . . data 5009 of the Nth image as shown in Figure 5);

compressing data of an inputted job into the set size of the block by the compressor (Image Compression Section 2040; Column 3, lines 54-57);

and

storing every block of compressed data into a memory (RAM 2002; Column 3, lines 23-25).

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Regarding Claim 9: (Previously Presented)

Sato further discloses the data processing method as recited in claim 12, further comprising performing attribute discrimination for discriminating the attribute of the data (Figure 15; STEP S15004 'ACQUIRE ATTRIBUTE INFORMATION OF ITH IMAGE').

Regarding Claim 13: (Currently Amended)

Sato discloses a data processing method, comprising:

setting a size of every block of data to be compressed by a compressor to a size of the page unit when an attribute of the data is binary data (e.g., for a monochrome image, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46; also Column 3, lines 56-57 which discloses the use of binary data), and to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is multi-valued data (e.g., For a monochrome image, S-TIFF, M-TIFF, or PDF can be selected. For a color image, JPEG or PDF can be selected. In this embodiment, since a format which converts a plurality of originals into one file is used for transmission, M-TIFF or PDF is selected for a monochrome image, and PDF is selected for a color image);

compressing data of an inputted job into the set size of the block by the compressor (Image Compression Section 2040; Column 3, lines 54-57);

and

storing every block of compressed data into a memory (RAM 2002; Column 3, lines 23-25).

Regarding Claim 14: (Currently Amended)

Sato discloses a data processing method, comprising:

setting a size of every block of data to be compressed by a compressor to a size of the page unit when an attribute of the data is a job other than a FAX/copy job (e.g. For a monochrome image which is not a FAX/copy job, single page tag image file format (S-TIFF) can be selected; Column 5, lines 44-46), and to a size of a divisional unit obtained by dividing the size of the page unit by plural numbers when the attribute of the data is the FAX/copy job (e.g., when it corresponds to color data, PDF is selected for a color image; Column 5, line 50. The data format structure of a PDF file 5000 has a header 5001, data 5002 of the first image, data 5003 of the second image, . . . data 5009 of the Nth image as shown in Figure 5);

compressing data of an inputted job into the set size of the block by the compressor (Image Compression Section 2040; Column 3, lines 54-57);  
and

storing every block of compressed data into a memory (RAM 2002; Column 3, lines 23-25).

### ***Examiner Notes***

5. The Examiner cites particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully considers the references in its entirety as potentially teaching all or



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part of the claimed invention, as well as the context of the passage as taught by the prior art or as disclosed by the Examiner.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Akimoto (US 6,278,529) discloses an image processing unit with an encoder which encodes a binary signal in a Modified Huffman (MH) encode method, and an MH decoder which decodes MH encoded data into the binary signal to be output..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. McLean whose telephone number is (571)270-1679. The examiner can normally be reached on Monday through Friday 7:30AM-4:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571.272.7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Neil R. McLean/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625